A Report on Town Meeting: What Can We Do to Make Town Meeting More Effective and Accessible?

Prepared by
League of Women Voters-Acton Area
(Towns of Acton, Boxborough, Hudson, Littleton, Maynard and Stow)

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LEAGUE OF WOMEN VOTERS® OF ACTON AREA

Executive Summary

Open Town Meeting is an opportunity for all voters to deliberate and participate as the legislature of their town. Open Town Meeting is the form of government adopted by nearly 75 percent of Massachusetts municipalities (260 of 351), including by the six towns that are represented by the League of Women Voters-Acton Area (Acton, Boxborough, Hudson, Littleton, Maynard, and Stow).

Town officials and residents are questioning the viability of Town Meeting as a town's legislative body. Attendance rates in all six of our towns are very low. Town Meeting as it exists today excludes those that cannot participate in person. The League of Women Voters-Acton Area began this study because of dual concerns with the low attendance and disenfranchisement of certain populations that cannot easily attend in person.

This report summarizes a year's worth of data gathering, study, reflection, and debate over the legal options available to towns in the Commonwealth. In the pages that follow, you can review our research and findings.

- Town meeting attendance is persistently low (averaging 2-6 percent of registered voters over 20 years) and efforts to improve the Open Town Meeting format in some of our towns have failed to move the needle significantly. What is undeniable is attendance rates improve significantly for voters on specific warrant articles that address issues of deep importance to voters.
- Innovations tested by our towns and others have reduced barriers to participation by making Open Town Meeting more accessible, efficient and better understood.
- Legislation and town home rule petitions are seeding the work and discussion around remote participation options.
- Massachusetts communities are afforded flexibility in choosing how to organize their local governance structures subject to contingencies in state law and local ordinances. Each of these governance models have merits and drawbacks. In addition, some towns in other New England states offer voters the option to vote via Australian ballot (at the polls) on matters that would otherwise come before Town Meeting.

Our goal is to begin a community conversation in each of our member towns. We hope that once the options are fully understood and discussed, each community can proceed with a plan to make the legislative branch of our local government more vibrant. We look forward to hearing your thoughts.

Introduction

Since the late 1600s all six Towns in the Acton Area League of Women Voters – Acton, Boxborough, Hudson, Littleton, Maynard, and Stow – have adopted and adapted Open Town Meeting as the legislative body in their communities. Simply put, this choice of government means that at least once annually on a prescribed legal schedule all voters can come together to make decisions on matters of local impact, primarily budgets, borrowing and related spending, as well as both general and zoning by-laws. Open Town Meeting represents a source of both pride in its face-to-face deliberation and decision making and concern that not enough voters participate. We embarked on this study to better understand the benefits and challenges of Town Meeting and other forms of town government and to explore options available now or coming in the future to address concerns about participation and representation.

As part of this study, committee members

- compiled historic attendance statistics, tracking the issues that draw the largest turnout,
- looked at tools that communities have used to improve efficiency such as electronic voting,
- discussed with Town Meeting Moderators their perspectives on best practices for preparing and running their Town Meetings,
- investigated alternatives such as Representative Town Meeting that might involve changes to our form of government,
- considered the Town Meeting formats popular in other New England states, and
- contemplated the future of Town Meeting by examining models for remote participation including secure online voting technologies and the possibility of hybrid Open Town Meetings.

> Despite its seeming rigidity and legal constraints, Open Town Meeting represents the purest form of deliberative democracy available and, by definition, must be organic.

Recent changes such as electronic voting and closed-captioned transcription have accelerated voting and improved accessibility, and it is reasonable to expect there are similar opportunities ahead of us. To that end, the information in this study provides an array of possible directions that are currently operational in New England and some ideas that may seem as improbable today as electronic voting did at the turn of this century. Thomas Jefferson referred to New England Town Meetings as the perfect exercise of self-government, but he also noted that we have government by the *majority who participate*. Self-evaluation is critical to balancing these observations and we offer this research in that spirit.

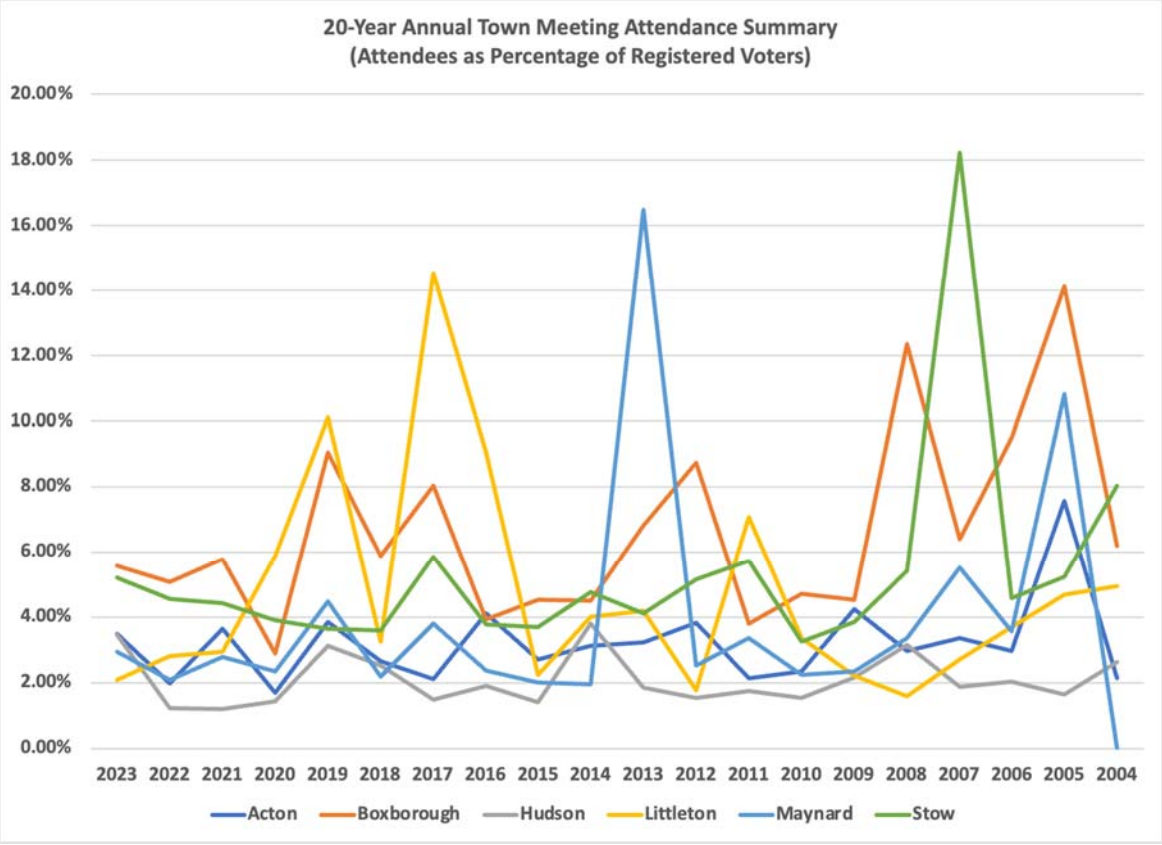
Part I: Open Town Meeting

A. Lookback at Town Meeting Attendance

League members collected data on attendance at Annual and Special Town Meetings for the last 20 years in each of our six member towns: Acton, Boxborough, Hudson, Littleton, Maynard, and Stow. We requested assistance from Town Clerks and used Annual Reports and Town Meeting digests as well.

Some of our towns regularly hold Special Town Meetings in the fall, while other towns only hold Special Town Meetings as needed. Some towns have a custom of having a one-session Annual Town Meeting, while others take several sessions to complete their warrant. Dealing with concerns around COVID-19 during 2020 and 2021 caused some towns to condense their Annual Town Meeting into one session and/or to try out different formats or experiment with a weekend day. Additionally, Hudson, Stow and Maynard have a quorum requirement; if attendance fails to reach that threshold, the Town Meeting is postponed.

Given these different approaches, we focused only on Annual Town Meetings over the 20-year period and reported the number of voters attending as a percent of registered voters. For Annual Town Meetings that extended over several sessions, we chose the one session with the highest attendance (often, but not always, the first session).



We found that the median attendance over the 20-year period ranged from a high of 5.82 percent of registered voters in Boxborough to a low of 1.87 percent in Hudson. Highest attendance recorded over the 20-year period ranged from a high of 18.22 percent in Stow to a low of 3.81 percent in Hudson, and lowest attendance recorded ranged from 1.2 percent in Hudson to 3.25 percent in Stow.

20-Year Annual Town Meeting Attendance
As Percent of Registered Voters

	Max	Min	Median
Acton	7.56%	1.68%	3.04%
Boxborough	14.12%	2.89%	5.82%
Hudson	3.81%	1.20%	1.87%
Littleton	14.52%	1.58%	3.53%
Maynard	16.49%	1.94%	2.78%
Stow	18.22%	3.25%	4.56%

During this 20-year period, some of our towns (especially Acton and Boxborough) made changes to improve the accessibility (e.g., providing transportation, childcare options) and efficiency of meetings (e.g., introducing electronic clickers in lieu of teller votes, time limits on speakers and presentations). These improvements did not significantly improve attendance, but those who attended took advantage of the added services. Meeting efficiency benefits all attendees; anecdotally we heard from one Town Moderator who asserted that attendance at Town Meeting increased after efficiency improvements resulted in a much shorter and more rigorously managed meeting.

> Data showed that voters turn out in larger numbers when issues with direct impact are on the warrant, such as override votes.

The issues that drew the largest crowds in all member towns included annual budget appropriations (especially those that would require an operating override vote at the polls) and school or municipal building projects that would require a debt exclusion override vote at the polls. Other issues that drew large crowds included large land purchases, zoning proposals related to marijuana dispensaries and gun stores, and “welcoming city” proposals.

Additional information and summary graphs for each of the member towns are included in Appendix 1.

B. The Future of Open Town Meeting – Hybrid with Remote Voting

Description

Since the COVID-19 pandemic began, technologies such as Zoom and Microsoft Teams have been used by many households for education, work, and communication with family and friends. It is easy to imagine that remote technologies like these could someday be used to provide remote access to Town Meeting although issues around security and authentication must be addressed. This option to vote from anywhere could be especially attractive for people with disabilities, parents of young children, those that have trouble driving at night, or professionals who need to travel frequently for work.

Massachusetts General Law (Chapter 39, Section 10) requires that you must attend Town Meeting in person, and a legislative change in MGL would be required to modify this. So, although remote or hybrid voting has not yet been allowed, there are many ways that towns could choose to structure hybrid or remote participation. The Town of Wayland, as part of its home rule petition described below, has put together a proposal for a hybrid system in which remote Town Meeting attendees receive a code from the Town Clerk that allows the voter to register on the remote participation website. The website would retain a two-way video connection for the life of a session and would capture and retain a still picture at the beginning to verify identity throughout. The system would provide real-time transcription of all discussion for accessibility and transparency and would have an option for any attendee to get in the queue to speak. Wayland plans for remote participation software that could track participant connections and look out for disruptions such as power outages or widespread disruptions in Internet access that would indicate that the meeting needs to be suspended temporarily.

Where Is This Used?

Currently nowhere.

Although current law requires that Town Meeting attendance be in person, attendees can be in one or more physical locations, provided those locations are linked by public address systems, such that all participants may be heard. During the COVID-19 pandemic, both Vermont and Maine passed legislation allowing temporary hybrid or remote participation in Town Meeting. The Massachusetts Municipal Association is backing a bill – H.3025/S.2011 that would allow for hybrid Town Meeting participation. Additionally, both Lexington and Wayland have filed home rule petitions authorizing hybrid participation in Town Meeting.

Pros and Cons of Hybrid Town Meeting with Remote Voting

PRO: Hybrid format would remove barriers to participation for voters who cannot attend in person.	CON: Remote voting option may reduce the pool of voters that currently participate in-person by giving them the option to attend from the comfort of one's own home. CON: Reducing in-person attendance may affect both engagement and the quality of

	discussion, and may reduce the strength of connections between residents who have historically used the opportunity to catch up and interact in person.

PRO: Hybrid format may expand participation in town meeting.	CON: In-person attendance is not the largest factor in Town Meeting turnout. Trends show that many more voters attend in-person Town Meeting when there is a warrant article they perceive as affecting them directly.

PRO: Many younger voters especially are increasingly accustomed to remote options as the new normal and may demand this model.	CON: Internet access, educating attendees on how to use technology, and troubleshooting support during meetings may be barriers for individuals and/or stakeholder groups.

C. Recommendations to Improve Open Town Meeting

In this section, we have compiled suggestions to lower barriers to participation by voters. These suggestions, which are based on reviewing previous reports on Open Town Meeting and discussions with moderators, focus on improving accessibility, increasing efficiency at the meeting, and expanding voter education before and during the meeting. Some of these suggestions have been tried in one or more of our area towns, while other suggestions are being piloted in other Massachusetts towns.

Accessibility

Accessibility, or lack thereof, is one of the key reasons given for not attending Annual Town Meeting. Individuals with disabilities, the elderly, parents of young children, those who have difficulty driving at night, or professionals who need to travel frequently for work often find it difficult to be present at Town Meeting.

Here are some ideas worth considering for increasing participation in Town Meeting by making it more accessible to more voters:

- **Offer free door-to-door transportation** to and from Town Meeting, using either Council on Aging vans or contracting with local transportation providers. Acton utilizes its Cross Town Connect van, one of the Town's ride services, available from 5:30-11 p.m., and requires a reservation for the service.
- **Offer free childcare** at the Town Meeting site where parents can leave their children in a supervised environment while they attend Town Meeting. Sites are generally open 6:30-9:30 p.m. and staffed with CORI-checked volunteers or paid staff.
- **Offer a "Family Section,"** a separate room where parents and children share the same space, the parents participating in Town Meeting while the children play nearby. The

space is linked to the Meeting through video and secure communications with an Assistant Town Moderator to facilitate votes and comments on Articles.

- **Designate a "Mobility Section"** close to the Town Meeting Room entrance for attendees with mobility issues, minimizing the challenges in locating seats.
- **Provide "Live Captioning"** where the transcription of presentations and comments appears on large screens placed where they are easily viewed by all attendees. There are applications available that provide the capability.
- **Allow questions to be submitted from remote locations.** This has been implemented in some towns (North Andover, for example) using remote meeting technology such as Zoom with a team monitoring the chat window and managing question submittals.
- **Consider changes in scheduling and timing of Town Meeting:**
    - Setting time limits on the length of each session of Town Meeting
    - Holding Town Meeting on the weekend instead of on weeknights
    - For towns that do not regularly hold a fall town meeting but whose Annual Town Meeting runs for multiple days, consider a routine schedule for Annual Town Meeting in the spring and a Fall Town Meeting, focused on zoning and environmental issues
- **Investigate use of off-site locations for Town Meeting** to make it accessible to a cluster of voters that find it a challenge to attend Town Meeting (example: assisted living facilities). It would require video and secure communications as well as an Assistant Moderator.
- **Consider having your Town join Wayland's effort to get legislative approval for a hybrid model for Town Meeting.** It will take a critical mass of towns requesting support for the legislature to act.

Education

Well-educated voters make better decisions and can do so in less time with more meaningful debate. Here are some best practices that afford voters opportunities to learn about the articles prior to Town Meeting.

- **Short videos** explaining warrant articles can be made available on the Town's cable channels. ActonTV's Government Channel and YouTube Town Meeting Playlist are good examples. The same content serves Cable subscribers and Internet viewers.

- **Public warrant reviews** held live or virtually offer an opportunity for voters to hear more in-depth explanations of warrant articles and ask questions prior to Town Meeting. Recorded video of these reviews can be added to the town's cable or YouTube resources.

- **Broad communication** is needed to reach as many voters in town as possible when sharing pre-Town Meeting resources. Town websites and email lists, community newspapers and social media will reach a wide audience.

During Town Meeting education is guaranteed to reach the right audience!

- **Short presentations by subject matter experts** ensure that voters have a strong factual foundation before starting deliberations. For complex and controversial articles, consider following these presentations with an opportunity for voters to ask **questions** (no opinions, questions only).

- **Warrant Articles** must be unambiguous and must cite any relevant legal references such as Massachusetts General Laws and Town By-Laws but legal correctness can sometimes be the enemy of clarity! A brief summary of an Article can make the intent clear. Some towns take this a step further and include background information such as relevant town history and community input that has been gathered. Some towns consolidate the Article summaries in a separate document that is distributed at Town Meeting.

Efficiency

An efficient Town Meeting with a predictable schedule will improve voter participation. The following items reduce the time required for routine matters and improve the overall meeting efficiency.

- **Enforce time restrictions**: using a visible digital timer and setting limits on presentation times and on speakers during deliberation ensure fairness and efficiency. Typical time limitations are 5 minutes for introductory presentations and 2 minutes for speakers during deliberation.
- **Use a Consent Agenda**, also known as a Consent Calendar, to consolidate routine non-controversial Articles into a single vote. The Moderator identifies the Articles to be included in the Consent Agenda. If a set number of voters disagree with an article's inclusion it will be removed from the list and deliberated separately. The Moderator calls for a single vote to approve all articles in the Consent Agenda. The Consent Agenda is a widely used practice. The Town of Acton's 2023 Warrant includes a clear description of the process for Acton's Consent Agenda.
  Typical articles to include in a Consent Agenda are acceptance of annual town reports, routine fund transfers, easements, minor by-law updates, prior year bills.
- **Waive reading of Articles**: a vote may be taken at the start of the Town Meeting to waive the reading of Warrant Articles and permit the Moderator to reference the Article to be voted by number and subject matter. The vote to waive may be taken on a motion to waive reading of the articles or as the first article of the Warrant.
- **Standing Votes**: identify and instruct tellers prior to the start of Town Meeting. A pre-selected group of volunteer tellers can be sworn in and instructed prior to the start of Town Meeting. Tellers should have designated sections of the venue to count and for greatest efficiency should be seated in their assigned section.
- **Electronic voting**: over 70 towns in Massachusetts have adopted electronic devices for voting at Town Meeting. Electronic voting allows votes to be anonymous, ensures an accurate vote count, and removes the need for standing votes. Voters are still required to be physically present at Town Meeting. The Wayland Town Moderator has created a short video with a description of Wayland's use of Electronic Voting.

Part II. Alternatives to Open Town Meeting

As noted in the introduction, each of our six member towns currently uses an Open Town Meeting form of government where all voters attending the meeting serve as the legislature for the town. The Open Town Meeting format pairs deliberating (discussion of the issue and persuasion of other voters) with a final vote in the same session. In our conversations with moderators, they emphasized that this act of voting immediately after deliberation is what best characterizes Open Town Meeting.

Form of Government	Number of MA Municipalities	Population Requirement	Democracy Principle	Notes
Open Town Meeting	260	No maximum, but must be used if municipality is smaller than 6,000 residents	Direct democracy - any voter may act as legislator	
Representative Town Meeting	32	Must have at least 6,000 residents to adopt	Indirect democracy - voters elect representatives by precinct to represent them	
Town Council/Mayor	14	Must have at least 12,000 residents to adopt	Indirect democracy - voters elect representatives by precinct to represent them	14 Towns use "city" form of government but call themselves towns
Council with Mayor and/or Manager	45	Must have at least 12,000 residents to adopt	Indirect democracy - voters elect representatives by precinct to represent them	
TOTAL MA MUNICIPALITIES	**351**			

Changing the structure of local government requires that a community begin a process to revise or amend its charter (see Appendix B). A charter effectively creates a municipality as a legal entity, describes the structure of its legislative and executive branches, and defines local governance practices. Article 89 of the Massachusetts' Constitution, referred to as the Home Rule Amendment and, separately, Massachusetts General Law Ch. 43B Sec. 10 describe two pathways for implementation, subject to a timeline described in the law.

The following section provides an overview of alternative local governance models. Two of these are currently allowed under Massachusetts General Law (Representative Town Meeting and Councils) and would require a community to engage in a prescribed process (see above). A third option is the use of the ballot box to vote on articles rather than voting at a Town Meeting (the Australian ballot), which is currently used in Massachusetts only for specific and narrow circumstances (for example, approving an override vote). For each of these alternatives, we

provide a description, indicate who is using this now, describe how this could be adopted, and enumerate some pluses and minuses of the approach.

A. Representative Town Meeting

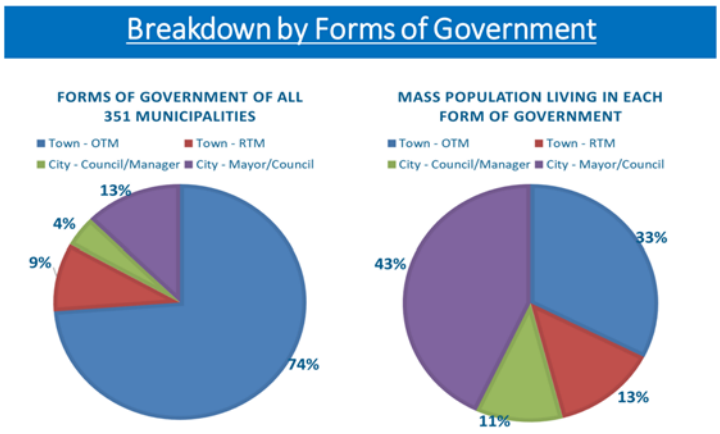
Description

In towns with Representative Town Meeting (RTM) voters elect a cohort of neighbors in the precinct where they reside who then assume the role of the municipality's legislature. These representatives, collectively called Town Meeting Members, deliberate and vote on warrant articles and petitions at town meetings on behalf of constituents. Any Massachusetts municipality with a population of at least 6,000 can choose this type of local legislature.

Voters can still attend and deliberate on warrant articles and petitions at their town meetings but do not vote.

Where Is This Used?

There are 32 Massachusetts communities currently using a RTM legislature. The majority (66 percent) have populations between 21,000-40,000. Even though Open Town Meeting continues to be the legislative body of choice in 74 percent (260) Massachusetts' communities, close to half (48 percent) of these towns have fewer than 10,000 residents. Only 7 percent (17) of towns using Open Town Meeting have populations between 21,000 and 41,000.



Source: The Edward J. Collins, Jr. Center for Public Management

Pros and Cons of RTM

PRO: The belief that elected representatives as a group become more well educated on local issues resulting in higher quality deliberations with informed pro and con perspectives and more informed votes.	CON: This is achieved only in towns which have systematically embedded structured opportunities for consistent communication and professional development.

PRO: The belief that an elected legislature	CON: Representation-bias is normative in

is more representative than a *de facto* legislature and reduces the influence of organized, special interest groups.	any town meeting structure. Elected assemblies don't necessarily mirror the governed population, especially in towns without term limits, changing demographics, and significant wealth differentials between precincts.

PRO: The belief that representative town meeting improves town meeting attendance.	CON: Chronic absenteeism of town meeting members in some towns continues to be a problem that erodes representation in affected precincts. In response, towns have invested resources into incentivizing regular attendance while others have reduced the number of representatives or increased the number of at-large representatives. Representative town meeting can also reduce citizen attendance rates, as legislating through representatives can deflate the sense of agency derived from engagement in direct, participatory democracy.

Trends

In the last few decades there has been a steady movement of towns petitioning to change their charters to a city form of governance to capture efficiencies and increase accountability by reducing elected positions, defining coordination of systems, clarifying budget processes, ensuring consistency between charter and bylaws, and deploying measures to more effectively keep citizens informed and engaged.

Town meeting reform efforts typically surface because of scheduled, periodic reviews required by a town's charter (e.g., Town of Sandwich), a precipitating event which erodes voters' trust in the legislative body (e.g., Town of Lee), or mounting public dis-ease with a variety of factors such as chronic absenteeism (e.g., Towns of Chelmsford, Burlington, Needham). In September 2023, the Town of Ludlow began reform efforts to change from RTM to a city form of government motivated by a desire to facilitate and accelerate economic development in their Town and leverage their strategic location on a major byway connecting the eastern and western parts of the state.

B. Town Council (with Mayor and/or Manager)

Description

Massachusetts law permits municipalities with a population of at least 12,000 the option of adopting a city form of governance consisting of an elected legislative body called a Council (typically 9-13 members but always an odd number of members) and a Mayor or Manager. Councils and Select Boards may appear similar in form, but they differ fundamentally in function: Select Boards serve as a town's executive branch and do not have legislative powers whereas Councils replace Town Meeting as the legislative entity in the communities they serve.

According to the Massachusetts Municipal Association, there are currently about 600 council members serving 59 Massachusetts communities.

Voters elect an odd number of councilors, either from precincts or at-large. These councilors act as the legislative body. They appoint a town manager or administrator. Councilors typically are paid a salary for their position. Sometimes voters elect a mayor directly, and other times the councilors elect one of their members to serve as mayor or council president. In some towns the president of the council is also on the school committee.

As the legislative body for the town, the Council is in continuous session (not called into session by a warrant as with a town meeting form of government). The councilors appoint various committees as the need arises. They work with the municipal department heads and a town manager for expertise. Depending on the town, the councilors can appoint the clerk or it can be the town manager.

Where Is This Used?

Interestingly, Massachusetts' towns which adopt a council legislature may continue to refer to themselves as a town in their town charters. This often reflects a desire to preserve a town's ethos while also capturing the efficiencies of a city governance model. In Massachusetts, there are 14 towns that use a "city" (Town Council) form of government but refer to themselves as towns.

Agawam	East Longmeadow	Southbridge
Amherst	Franklin	West Springfield
Barnstable	North Attleboro	Weymouth
Braintree	Palmer	Winthrop
Bridgewater	Randolph	

Pros and Cons of Town Council

PRO: Smaller size of the legislative branch makes decision making more efficient.	CON: Voters elect representatives and may not participate directly in the decision making of government. This can lead to voter disengagement.

PRO: As the legislative body of the town, the Council is in continuous session which is more efficient than town meeting legislatures who must be summoned into session by a warrant.	CON: Council decisions made continuously and diffusely throughout the year may make it more difficult for the public to track everything from budget appropriations to zoning changes. This increases the burden on the public to stay apprised of important decision-making that affects the community.

PRO: In a Council-Manager or Mayor-Council governance structure, the Mayor or Manager appoints most Boards and Committees (exclusive of School Committees). The Council ratifies appointments.	CON: Consolidation of appointing authority in a single individual (versus a multiple member Board like a Select Board) increases risk of corruption.

C. Australian Ballot Alternative

Description

The Australian ballot is the system of voting in which voters mark their choices in privacy (often at a polling place) on secret ballots uniformly printed and distributed by an electoral or governmental authority. This type of ballot first appeared in Australia during the 1850s and quickly spread to many parts of the world. Massachusetts was one of the first two states in the United States to adopt this form of ballot in the late 1880s. However, it is rarely referred to by the term “Australian ballot” anymore except in Vermont!

In some parts of New England – notably Vermont and New Hampshire – towns have a choice whether to hold a traditional town meeting or to use the Australian ballot in its stead. This type of voting is currently not permitted under Massachusetts General Laws as a substitute for town meeting. It would require a change in state law to adopt.

Where Is This Used?

To some extent or another, voters in many New England states, including Vermont, New Hampshire, Maine, and Connecticut, have an option in some situations to vote at the polls on local matters, rather than voting exclusively by attending an Open Town Meeting.

In New Hampshire, the Official Ballot Law of 1995, known as SB 2, permits towns to use Australian balloting (referred to as “Official Balloting”) in place of town meeting. About one-third of New Hampshire towns have elected to go this route, which requires a 60 percent vote. Most did so within the first decade after the law was passed. While there is not a clear trend, in general larger towns decided to adopt SB 2 and smaller towns didn't. There has been

little change in recent years. Where the traditional town meeting has been eliminated, towns are required to hold a budget hearing and deliberative session before Election Day. During the deliberative session, voters are allowed to discuss articles, ask questions, and make amendments, but no final vote is taken.

In Vermont, towns have a rich history of holding traditional town meetings, called floor meetings. But with a simple majority vote they are also allowed to switch to 100 percent Australian balloting or a combination of floor meeting and Australian balloting. The trend toward Australian balloting has been steadily increasing over recent decades and is now used exclusively in well over 20 percent of Vermont towns. In these cases, the towns are required to hold informational meetings within ten days of Election Day. Voters are allowed to discuss the articles on which they'll be voting but, unlike New Hampshire, no amendments are allowed. Still, over two-thirds of all Vermont towns continue to vote on their town budget at a floor meeting.

Eighty percent of Maine's 482 municipalities have a Select Board/Town Meeting government. Faced with low voter turnout for in-person meetings, some towns opted (under provisions of state law) to change in-person open town meetings to ballot votes, called referendum town meetings. Some towns use both styles of town meetings, with special town meetings called for a single time-sensitive issue held in person, and annual town meetings (scheduled in advance and on routine issues, such as the budget) held as a referendum.

Pros and Cons of Australian Ballot

PRO: Voter participation at the ballot is significantly larger than that for Town Meeting attendance. In Vermont participation is 15 percent higher in larger towns and 10 percent higher in smaller towns. New Hampshire reports 25 percent turnout for local elections.	CON: Higher voter participation comes at a steep cost. Attendance at informational and deliberative sessions is poor, 1-2 percent. Voters going to the polls are generally less informed.

PRO: Voting at the polls allows voters more time to consider their vote.	CON: Town meetings can foster a sense of community, strengthen social ties, and work together to tackle common problems. This sense of camaraderie and community is lost with an up/down vote.

Conclusions from our Study Process

We began this year-long study with an analysis of town meeting attendance over the past 20 years in the League's six member-towns. We noted that improvements, such as childcare and transportation, implemented by a few of our towns did not significantly move the attendance numbers. However, we also noted that attendance spikes when issues that voters deem important come before town meeting. Those spikes speak to the relevance of a direct democracy model in situations where voter impact is deemed high by the residents of a town.

We took a close look at alternatives to Open Town Meeting:

- Representative town meeting and mayor-city/town council, allowed under Massachusetts law, certainly improve ease of legislating but are not more representative of the town's population and remove the one avenue that voters currently possess to exercise direct democracy over matters that will have great impact on their day-to-day lives.
- In the relatively near future towns will likely have the legislative approval and technology to implement remote participation options for town meeting including the ability to deliberate and cast votes. It remains to be seen how that will impact participation, but we can be sure that it will enhance accessibility for many groups.
- The so-called "Australian ballot" in use to varying degrees in Vermont and other New England states would likely lead to greater participation as can be seen by comparing turnout for local elections and turnout for town meeting. Voting hours are flexible and voting takes minutes, Town Meeting is fixed and long! But the cost of this separation of the deliberating and voting stages may be a less engaged and less well-informed public. Additionally, this option is not allowed under Massachusetts law.

The alternatives available to Massachusetts communities come with their own pros and cons, and the future that many dream of (Hybrid Town Meeting with Remote Voting) is not yet available under Massachusetts law.

> Open Town Meeting may not be perfect but, among the options that Massachusetts law currently allows, Open Town Meeting comes closest to the democratic ideal, with governmental authority vested in the people, who via direct participation engage in a high-quality and inclusive deliberative process followed closely in time by voting on collective decisions for the benefit of the community.

This might explain why despite recurring concerns about low attendance and whether Open Town Meeting decisions are truly "representative of the people's will," Open Town Meeting remains the predominant form of government among Massachusetts communities, including the six member-towns in the Acton Area League.

Call to Action

1. Open Town Meeting can be better. Adoption of some of these suggestions for improving accessibility, running more efficient meetings, and educating voters before and during the meeting should be considered. While they may not move the needle significantly, they will matter to those that attend either regularly or sporadically and will be of high value when the controversial issues drive more residents to attend.

2. Member towns should consider joining Wayland and other towns that are advocating for substantive change in the ways that Town Meeting can be conducted in Massachusetts. Many substantive changes in Massachusetts start at the grass roots level with home rule petitions and ballot initiatives.

Acknowledgements

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Our LWV-Acton Area committee who researched, discussed and wrote the final report included the following individuals:

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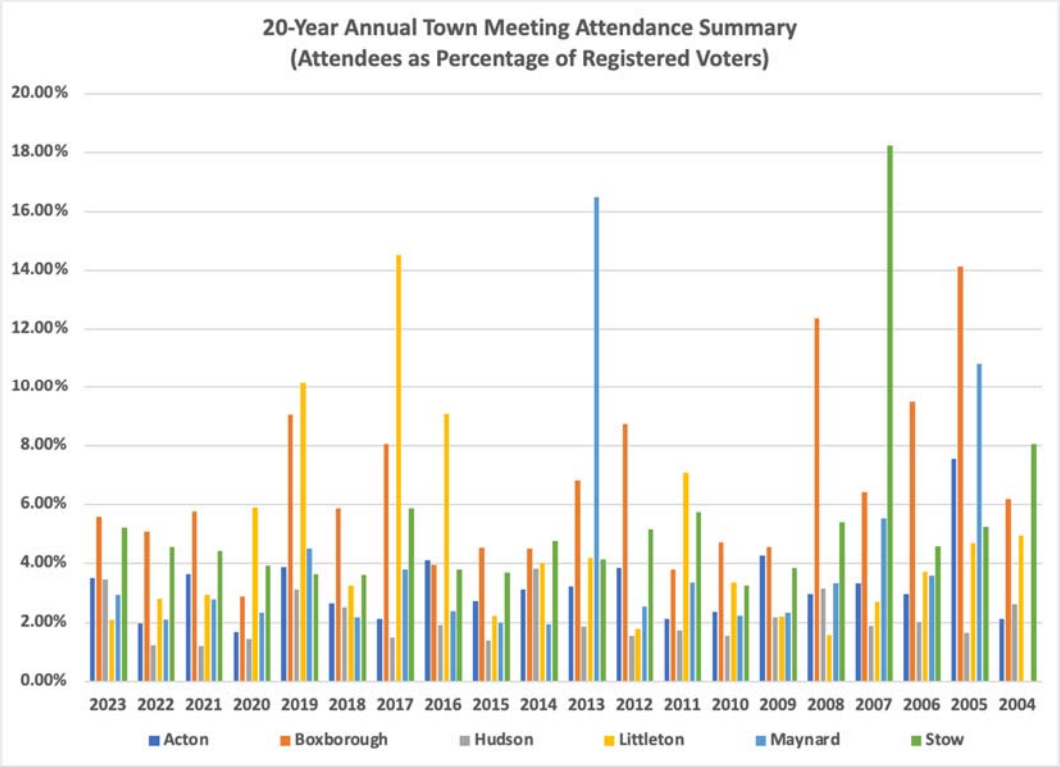
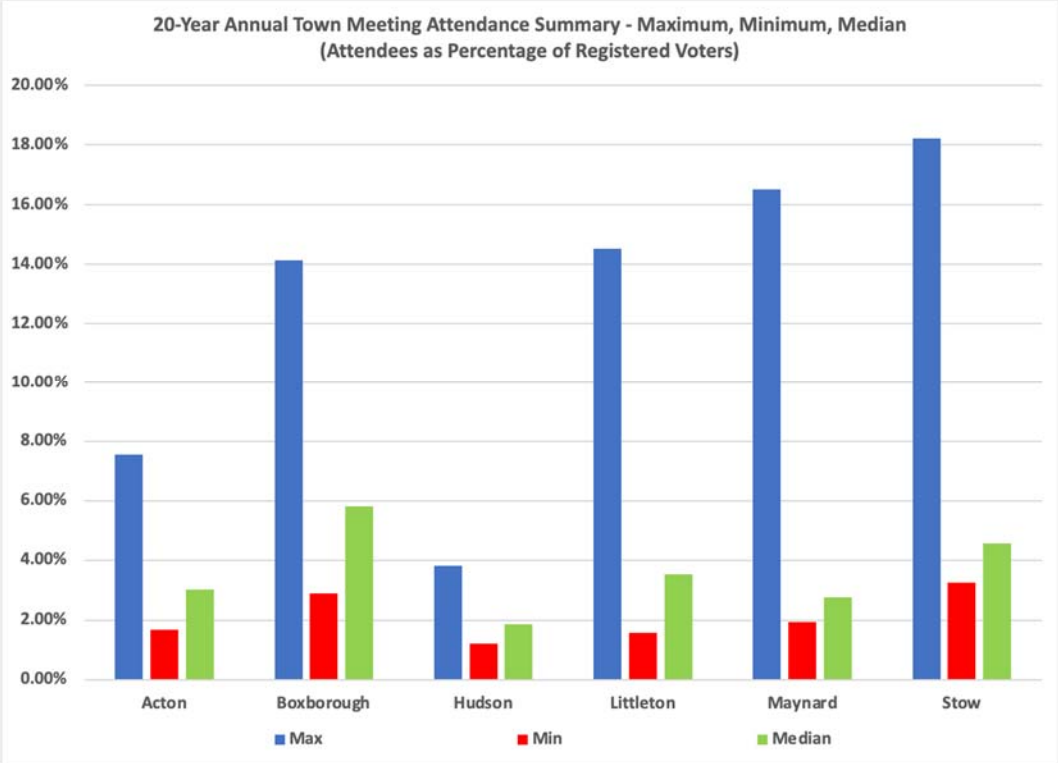
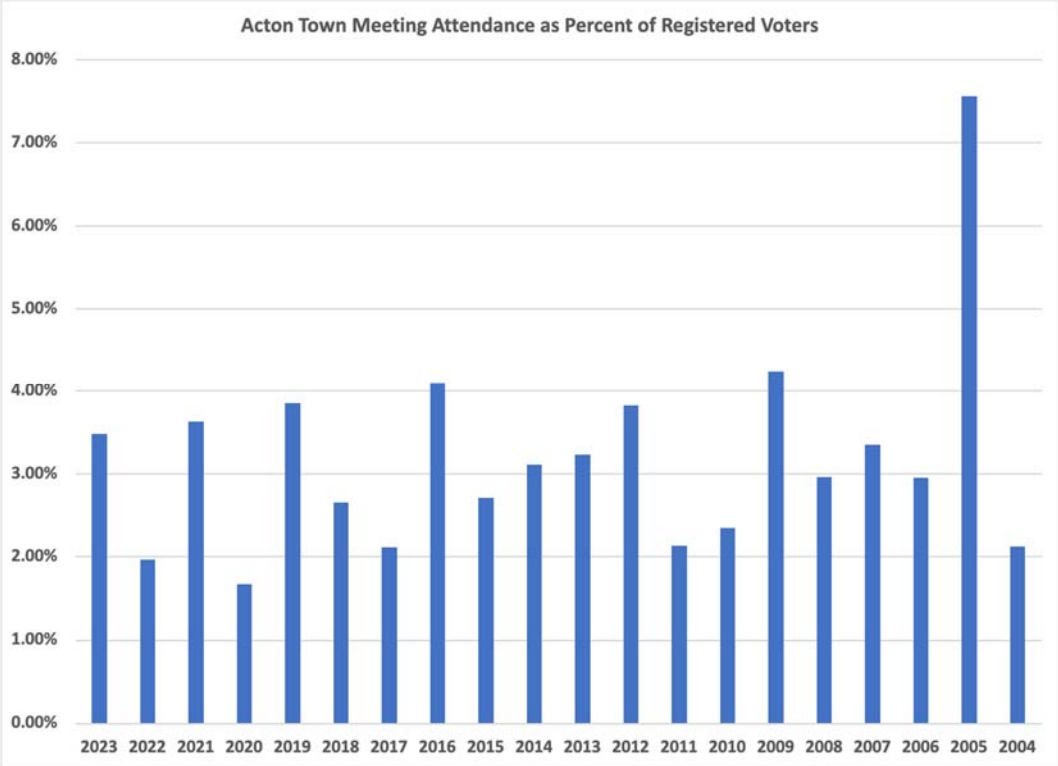
Phyllis Meade
Marilyn Peterson
Alyssa Robinson
Jeannie Vineyard

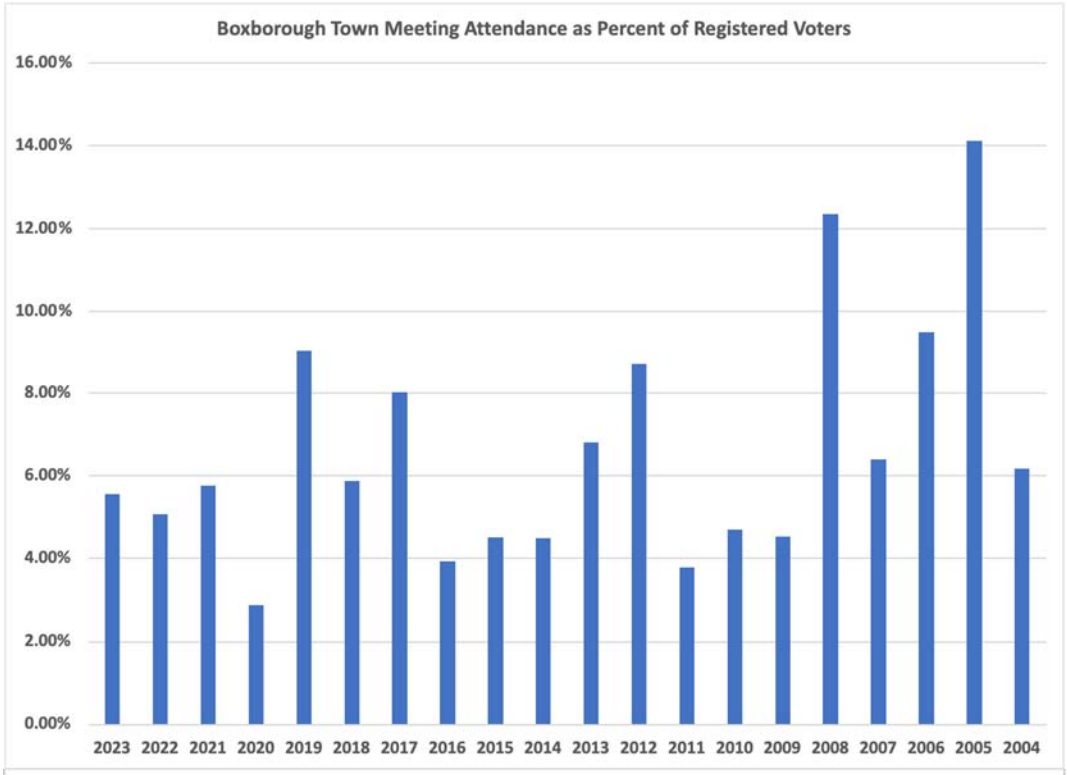
Additional Resources for Town Meeting Report

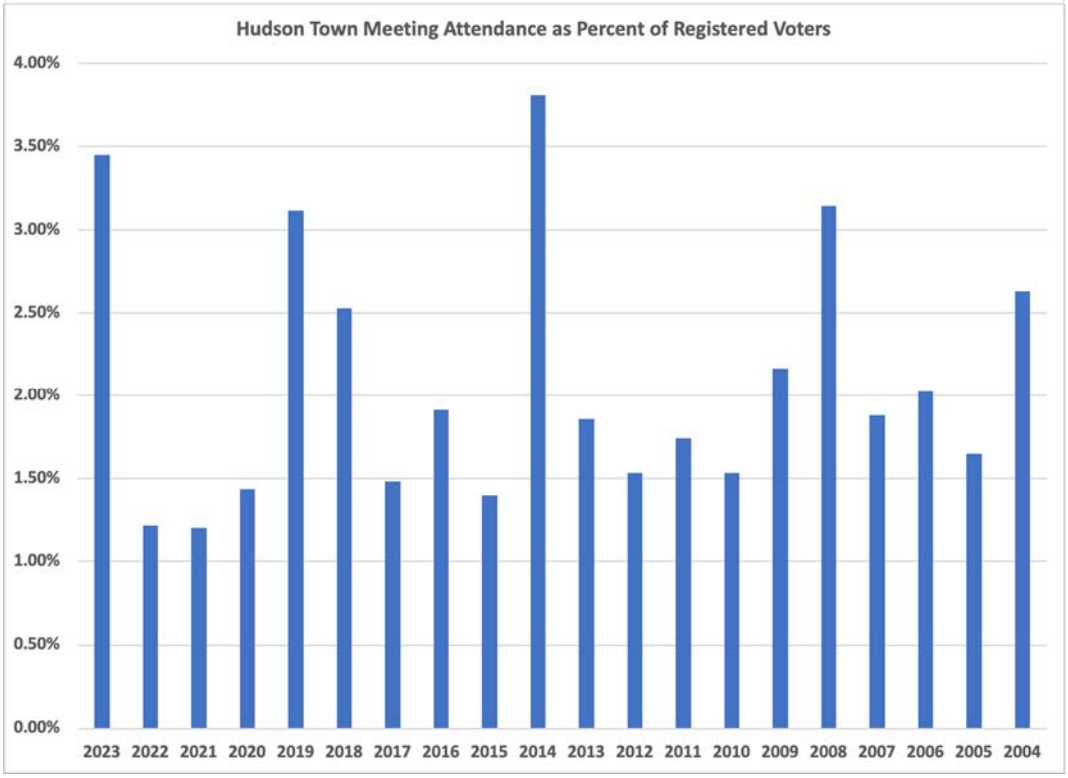
Appendix 1: Detailed Town Meeting Attendance Info

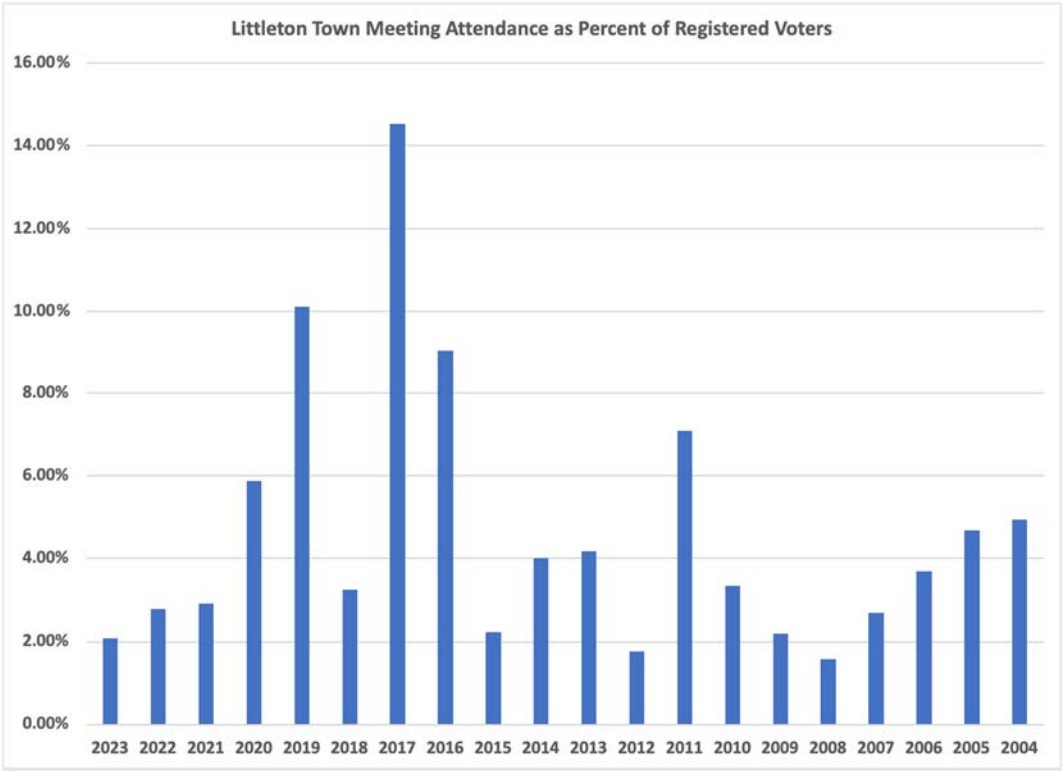


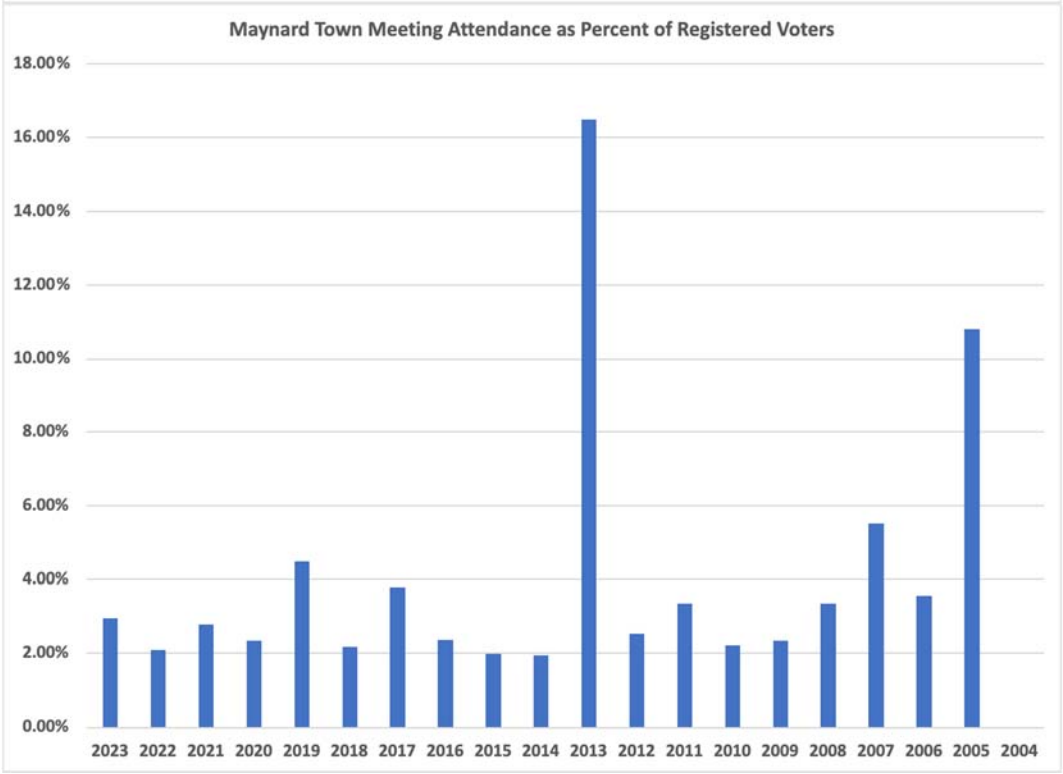

20-Year Annual Town Meeting Attendance Summary - Maximum, Minimum, Median
(Attendees as Percentage of Registered Voters)
20.00%
18.00%
16.00%
14.00%
12.00%
10.00%
8.00%
6.00%
4.00%
2.00%
0.00%
Acton
Boxborough
Hudson
Littleton
Maynard
Stow
Max
Min
Median


Acton Town Meeting Attendance as Percent of Registered Voters
8.00%
7.00%
6.00%
5.00%
4.00%
3.00%
2.00%
1.00%
0.00%
2023 2022 2021 2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006 2005 2004

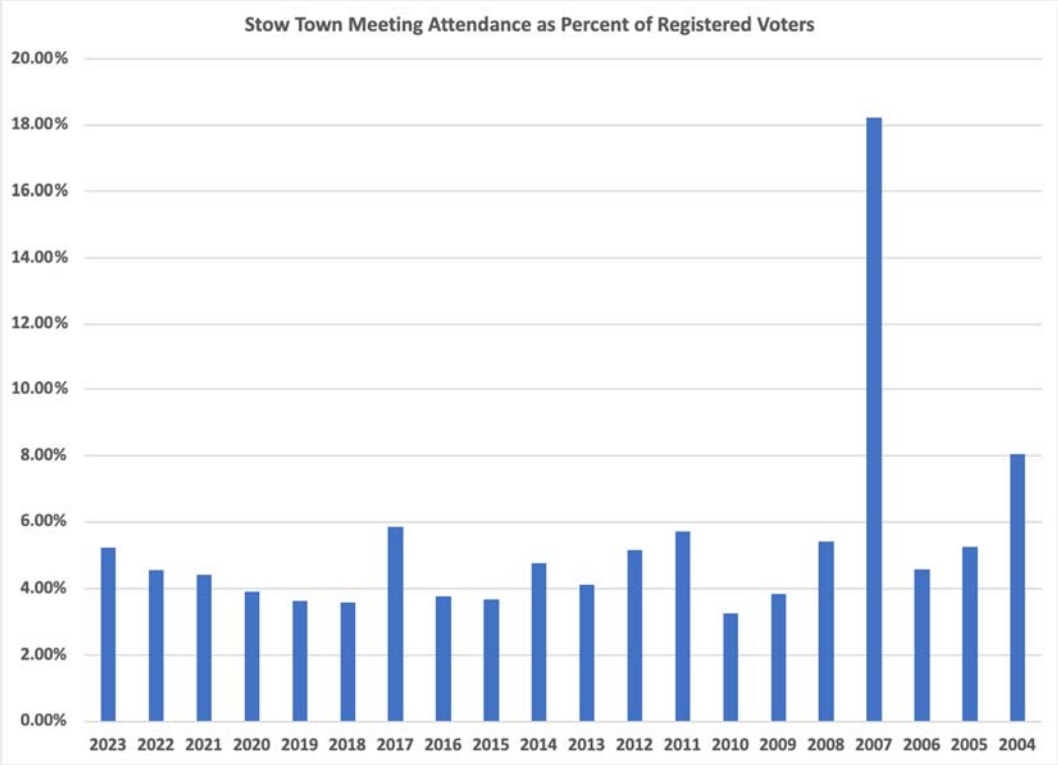

Boxborough Town Meeting Attendance as Percent of Registered Voters
16.00%
14.00%
12.00%
10.00%
8.00%
6.00%
4.00%
2.00%
0.00%
2023 2022 2021 2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006 2005 2004


Hudson Town Meeting Attendance as Percent of Registered Voters
4.00%
3.50%
3.00%
2.50%
2.00%
1.50%
1.00%
0.50%
0.00%
2023 2022 2021 2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006 2005 2004





*We were unable to obtain voter registration data for several years from the Town Clerk's office or from Annual Reports. We used the prior year's registration as a proxy for the number of registered voters.



Appendix 2: City and Town Charters - Adoption, Revisions and Amendments

The following information is available at:
https://www.mass.gov/doc/chartadoptreviseamendpdf/download

Under the Home Rule Amendment to the Massachusetts Constitution (Amendment Article 89) and the Home Rule Procedures Act (MGL Ch. 43B), cities and towns can form a charter commission to adopt a new charter; entirely revise an existing charter, or amend selected charter provisions. As an option to the Home Rule Charter process under Ch. 43B, communities can also adopt, revise or amend a charter by a special act of the State Legislature with approval by the Governor (See Special Acts). In each instance, "Charter" refers to a written instrument that defines the government structure under which a city and town operates, that may create local offices; distribute powers, duties and responsibilities among local offices; and that may establish and define certain procedures to be followed by a city or town government. (MGL Ch. 4, Sec 7, Clause 5).

For municipalities, a key distinction between a charter commission and a special act is the time required to complete the process. The work of a charter commission is directed by statute and will involve 18-24 months. Whether initiated locally, or as a recommendation of the governor, a special act involving city and town charters can generally advance more quickly.

Charter Commission - Under Section 3 of Ch. 43B, the process to form a charter commission is initiated when 15 percent of the voters petition the city council or board of selectmen to order a local ballot question on whether to adopt a new charter, or to revise or

amend an existing charter. Once the petition and signatures are certified as valid, the city council or selectmen have 30 days to adopt the order and place the question on the ballet of the next regular election which may not be within the ensuing 60 days.

When votes are cast on the question of forming a charter commission, votes are simultaneously cast to elect the nine commission members who qualify for nomination through the collection of voter signatures. If a majority of the voters approve the question, the top nine vote getters sit on the commission which is directed by statute to hold its first public hearing within 45 days of the election. It must complete a preliminary report within 16 months, then publish and submit its preliminary report to the attorney general for an advisory opinion, and complete its final report within two additional months (or 18 months from the election). Charter commission recommendations are then placed before the voters for acceptance or rejection. If the commission has no recommendation, then no vote occurs.

Under Section 10, an alternative process which does not involve a charter commission is available to amend a previously adopted or revised charter. It begins with a two-thirds vote of a city council (with concurrence of the mayor), or by two-thirds vote of town meeting. A public hearing must be held within three months and final action must occur within six months of the date of proposal. Each proposal must be submitted to the Attorney General for approval and then to the voters.

Special Act - As an alternative, a community can adopt, revise or amend a charter by a special act of the State Legislature. Special acts, or special laws, involving government structure are applicable only to one city or town and, with few exceptions, are deemed to have the force of a charter. In cities, the city council must approve submission of a special act, and in towns, approval of town meeting is required. Under rarely used provisions of law, changes to local charters can be imposed on recommendation of the Governor and two-thirds vote of each branch of the Legislature.

Local actions to adopt, revise or amend a charter through a special law need not be approved by the voters at-large before, or after, Legislative enactment in order to take effect. However, as a matter of practice, the Legislature, or the city council or town meeting locally, almost always make special laws to adopt or change a charter contingent on voter approval.

State law does not mandate or prescribe any procedure for arriving at proposed charter provisions when a special act is to be drafted. However, a local government study committee, typically appointed by the selectmen, or when town meeting directs, by the moderator, is a frequently used method. The appointing authority is not restricted in the number of committee members. It can define the charge of the committee broadly to encompass all aspects of local government, to narrow the scope of investigation, or to ensure that particular matters are included within the committee's focus. In its charge, the committee can also be directed to complete its work in a shorter time frame than what the law requires for a charter commission.

Once a charter proposal is drafted as a special act, it must be presented to the city council and mayor, or to town meeting for approval and authorization to be submitted to the General Court.

Appendix 3: Bibliography and Additional Resources

Books

Clark, Susan and Frank Bryan. 2005. *All Those in Favor: Rediscovering the Secrets of Town Meeting and Community*. Montpelier, VT: RavenMark.

Bryan, Frank M. 2004. *Real Democracy: The New England Town Meeting and How It Works*. Chicago, IL: The University of Chicago Press.

Reports on Town Governance

Acton – League of Women Voters-Acton Area, *Making Town Meeting Work Better*, December 2008.
Acton – *Town of Acton Report of the Town Meeting Improvement Committee*, February 2020.
Concord – *Town of Concord Town Governance Study Committee Final Report*, August 2014.
Andover – *Town of Andover Report of the Town Governance Study Committee*, December 2021.
Boxborough – Boxborough Town Meeting Study Committee, May 2017.

State Specific Organizations and Resources

Massachusetts

Massachusetts Municipal Association, mma.org.
Some specific links that were helpful include:
https://www.mma.org/wp-content/uploads/2018/07/forms_of_local_government_0.pdf
https://www.mma.org/wp-content/uploads/2018/07/fog_summary_0.pdf
https://www.mma.org/local-government-101/

Maine

Maine Municipal Association, https://www.memun.org/
League of Women Voters of Maine, Guide to Local Government,
https://www.lwvme.org/localgov

New Hampshire

New Hampshire Municipal Association, https://www.nhmunicipal.org/

Vermont

Vermont League of Cities and Towns: https://www.vlct.org/

Rhode Island

Clerk Base: https://clerkshq.com/

Connecticut

Connecticut Conference of Municipalities: https://www.ccm-ct.org/